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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/454,164	11/17/99	MUNROE M	5922-53642

WM01/0207
KLARQUIST SPARKMAN CAMPBELL LEIGH
& WHINSTON LLP
ONE WORLD TRADE CENTER SUITE 1600
121 S W SALMON STREET
PORTLAND OR 97204-2988

EXAMINER	
PHAN, H	
ART UNIT	**PAPER NUMBER**
2633	8

DATE MAILED: 02/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/454,164	MUNROE et al
Examiner	**Group Art Unit**
Hanh Phan	2633

☒ Responsive to communication(s) filed on *Nov 17, 1999*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-21* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☒ Claim(s) *1-4 and 21* is/are allowed.

☒ Claim(s) *5-18* is/are rejected.

☒ Claim(s) *19 and 20* is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *6*

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. The cited references on the 1449 with draw line have not been considered because these cited references have not been provided by applicant.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 5 is rejected under 35U.S.C.102(e) as being anticipated by Sakanaka et al (U.S.Patent number 5,850,189).

Regarding claim 5, Sakanaka teaches a central station for an optical network, comprising:

a receiver (57)(Fig. 5, col. 4, lines 22-50) that receives a first optical data signal and produces a corresponding electrical data signal;

a transmitter (54)(Fig. 5) that produces a second optical data signal based on data defined by the electrical data signal; and

an encoder (53)(Fig. 5) that applies a code to the second optical data signal.

4. Claim 8 is rejected under 35U.S.C.102(e) as being anticipated by Chen (U.S.Patent number 5,841,776), cited by applicant.

Regarding claim 8, Chen teaches a multiplexing station for an optical network, comprising:

an address decoder (68)(Fig. 3, lines 25-54) that receives a signal containing data and coded according to an address code and strips the code from the signal, wherein the address code designates a destination for at least a portion of the data; and

an address encoder (42)(Fig. 3) that receives a signal containing data and encodes the signal to identify a destination of at least some of the data.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 6 and 7 are rejected under 35U.S.C.103(a) as being unpatentable over Sakanaka et al (U.S.Patent number 5,850,189) in view of Chen (U.S.Patent number 5,841,776), cited by applicant.

Regarging claim 6, Sakanaka differs from claim 6 in that he does not specifically teach wherein the code applied by the encoder is a composite code. However, as evidenced by Chen, providing the code applied by the encoder is a composite code (Figs. 4 and 5, col. 3, lines 54-67, col. 4, lines 1-26) is well known in the art. Therefore, it would have been obvious to an artisan of

ordinary skill at the time of the invention to incorporate the encoder as taught by Chen to Sakanaka in order to designate the sources and the destinations for the data.

Regarding claim 7, the combination of Sakanaka and Chen teaches a central station wherein the code is an address code that designates an intended destination for at least some of the data defined by the electrical data signal (Fig. 3 of Chen).

7. Claims 11 and 12 are rejected under 35U.S.C.103(a) as being unpatentable over Chen (U.S.Patent number 5,841,776 cited by applicant) in view of Chua et al (U.S.Patent number 5,519,526).

Regarding claim 11, Chen differs from claim 11 in that he does not specifically teach a multiplexing sation for optical network wherein the address encoder applies an optical code. However, as evidenced by Chua, providing an encoder applies an optical code (Fig. 1, col. 6, lines 62-67, col. 7, lines 1-50) is well known in the art. Therefore, it would have been obvious to an artisan of ordinary skill at the time of the invention to incorporate the encoder as taught by Chua to Chen in order to provide the optical address-code-signals.

Regarding claim 12, the combination of Chen and Chua teaches a multiplexing station wherein the code is a composite code (Fig. 4 of Chen).

8. Claims 9, 10, and 13-15 are rejected under 35U.S.C.103(a) as being unpatentable over Chen (U.S.Patent number 5,841,776 cited by applicant) in view of Huber (U.S.Patent number 5,467,212), cited by applicant.

Regarding claim 9, Chen differs from claim 9 in that he does not specifically teach a multiplexing station wherein the address decoder strips an optical code from the signal. However, as evidenced by Huber, providing an address decoder strips an optical code from the signal (Fig. 27, col. 26, lines 48-62) is well known in the art. Therefore, it would have been obvious to an artisan of ordinary skill at the time of the invention to incorporate the address decoder as taught by Huber to Chen in order to select the wanted coded-optical-signals to the user and to eliminate the unwanted coded-optical-signals.

Regarding claim 10, the combination of Chen and Huber teaches a multiplexing station wherein the code is a composite code (Fig. 4 of Chen).

Regarding claims 13 and 14, the combination of Chen and Huber teaches a multiplexing apparatus wherein the address decoder and address encoder comprises at least one fiber Bragg grating that strips the code (Fig. 27 of Huber).

Regarding claim 15, the combination of Chen and Huber teaches a multiplexing apparatus wherein further comprising an optical circular that directs the signal to at least one fiber Bragg grating (Fig. 27 of Huber).

9. Claims 16 and 18 are rejected under 35U.S.C.103(a) as being unpatentable over Huber (U.S.Patent number 5,467,212), cited by applicant.

Regarding claim 16, Huber teaches a method of broadcasting an optical signal to a plurality of user stations for data recoverry only by a selected user, comprising:

inherently that there is selecting a code for the optical signal;

applying the code to the optical signal with at least one fiber Bragg garting (Fig. 27, col. 26, lines 48-62).

Regarding claim 18, Huber teaches a passive optical network, comprising at least one multiplexing station that receives a first optical signal, applies a first level code to the first optical signal, and transmits a coded first optical signal; and that receives a second optical signal, decodes a first level code from the second optical signal, and transmits a resulting decoded optical signal (Fig. 27).

10. Claim 17 is rejected under 35U.S.C.103(a) as being unpatentable over Huber (U.S.Patent number 5,467,212 cited by applicant) in view of Chen (U.S.Patent number 5,841,776), cited by applicant).

Regarding claim 17, Huber differs from claim 17 in that he does not specifically teach wherein the code is a composite code. However, as evidenced by Chen, providing wherein the code is a composite code (Figs. 4 and 5, col. 3, lines 54-67, col. 4, lines 1-26) is well known in the art. Therefore, it would have been obvious to an artisan of ordinary skill at the time of the invention to incorporate the code as taught by Chen to Huber in order to provide the address code signals in the optical network.

11. Claims 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 1-4 and 21 are allowed.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rakib (U.S.Patent number 5,805,583) teaches process for communication multiple channels of digital data.

Bell (U.S.Patent number 5,886,539) teaches communication within an integrating circuit.

Chung et al (U.S.Patent number 4,779,266) teaches encoding and decoding.

Huber (U.S.Patent number 5,825,520) teaches optical demultiplexers with grating reflectors.

O'Sullivan et al (U.S.Patent number 5,859,716) teaches self stimulation signal detection in an optical transmission system.

Darcie et al (U.S.Patent number 5,790,287) teaches optical communication system with improved maintenance capabilities.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (703)306-5840.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703)305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703)305-9888.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Leslie Pascal

LESLIE PASCAL
PRIMARY EXAMINER